

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 IDRIS TURNER ALI-EL,

11 Plaintiff,

v.

12 CT CORPORATION SYSTEM, *et al.*,

13 Defendants.

14 CASE NO. C23-1902-JCC

ORDER

15 This matter comes before the Court *sua sponte*. Pursuant to 28 U.S.C. § 1915(e)(2)(B),
16 the Court reviewed Plaintiff's original complaint to determine whether to order service and
17 summons. (Dkt. No. 7.) And it concluded the complaint failed to establish this Court's subject
18 matter jurisdiction. (*See id.* at 1–2.) But rather than dismiss it without prejudice, the Court
19 provided Plaintiff leave to file an amended complaint within 30 days to correct the deficiencies
20 identified. (*See id.* at 3.) Plaintiff then filed an amended complaint (Dkt. No. 8). But as described
21 below, it fails to cure the previously identified deficiency. Therefore, the Court now DISMISSES
22 it without prejudice.

23 As a threshold matter, the complaint must establish this Court's subject matter
24 jurisdiction. Federal question jurisdiction exists where a plaintiff's claim arises "under the
25 Constitution, law, or treaties of the United States." 28 U.S.C. § 1331. Diversity of citizenship
26 jurisdiction exists where the amount at issue in the lawsuit is more than \$75,000 and no plaintiffs

1 or defendants are citizens of the same state. *See id.* § 1332. The amended complaint establishes
 2 neither.

3 The complaint does not state, for example, whether Plaintiff's claims arise under the
 4 Constitution, laws, or a treaty of the United States.¹ Nor does it allege facts demonstrating that
 5 Plaintiff and Defendants are citizens of different states. Instead, it asserts that Plaintiff is "not a
 6 citizen of the United States," but is, among other things a "Moorish-American National" and a
 7 "Citizen of America/Morocco." (Dkt. No. 8 at 2) (emphasis omitted). This does not establish this
 8 Court's subject matter jurisdiction, nor do the remaining allegations suggest a diversity of
 9 citizenship. In fact, Plaintiff has provided the Court with a Washington address, (*see id.* at 1),
 10 alleges to be domiciled in Washington, and is a self-employed owner and member of a
 11 Washington LLC, (*see id.* at 8). Moreover, some of the Defendants are also allegedly
 12 Washington citizens or, at a minimum, not affirmatively citizens of other states. (*See generally*
 13 *id.* at 1–2.)

14 For these reasons, and pursuant to 28 U.S.C. § 1915(e)(2), Plaintiff's amended complaint
 15 (Dkt. No. 8) is DISMISSED without prejudice.

17 DATED this 23rd day of January 2024.

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John C. Coughenour
 UNITED STATES DISTRICT JUDGE

1 The amended complaint does ask the Court to consider sections of the United States
 Constitution and the Treaty of Peace and Friendship of 1836, among other documents. But it
 does not, and could not, raise a claim under the sections the Court is asked to consider.